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GENERAL ASSEMBLY
Forty-eighth session
Item 79 of the preliminary list*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 10 March 1993 from the Permanent Representatives of Papua New Guinea and Solomon Islands to the United Nations addressed to the Secretary-General

On behalf of the Government of Papua New Guinea and the Government of Solomon Islands, we have the honour to attach herewith a copy of a joint press statement by the leaders of the Papua New Guinea and Solomon Islands delegations at the conclusion of ministerial talks held at Port Moresby on 26 February 1993 (see annex) for information.

We should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 79 of the preliminary list, and of the Security Council.

(Signed) H.E. Mr. Renagi R. LOHIA, OBE
Ambassador
Permanent Representative
of Papua New Guinea to the
United Nations

(Signed) H.E. Mr. Rex S. HOROI
Ambassador
Permanent Representative
of Solomon Islands to the
United Nations

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ANNEX

Joint press statement issued by the leaders of the Papua New Guinea and Solomon Islands delegations at the conclusion of ministerial talks held at Port Moresby on 26 February 1993

The leaders of the Papua New Guinea and Solomon Islands ministerial delegations to the official talks held at Port Moresby on the occasion of the official visit of the Minister for Foreign Affairs and Trade Relations of Solomon Islands, Hon. Job Duddley Tausinga, today expressed satisfaction at the successful conclusion of their discussions.

The two Foreign Ministers, Hon. John Kaputin and Hon. Job Duddley Tausinga, confirmed this in a joint statement.

The Ministerial discussions were aimed at reviewing and giving ministerial directions on all aspects of the two countries' relations which have been the subject of dialogue at official levels following Prime Ministerial instructions to re-establish contact on 24 December 1992.

In their review, the Ministers agreed to conclude a framework treaty governing all aspects of their relations. The Treaty will be called "Special Agreement Guiding Relations between the Independent States of Papua New Guinea and Solomon Islands".

The Ministers also signed an Exchange of Letters confirming the need for such a bilateral treaty and an agreement for interim arrangements for joint border surveillance and administration before the conclusion of the Basic Agreement on Border Arrangements between the two countries.

The Ministers held frank, long and constructive discussions on details of the spill-over effects of the Bougainville crisis, including compensation and repatriation.

A detailed report on the outcome of their talks will be submitted to their respective Cabinets for further directions before and as they prepare for the Prime Ministerial talks later this year.

This week's ministerial-level consultations were a follow-up to recent meetings held at official levels at Honiara and Port Moresby.

(Signed) Hon. John R. Kaputin CMG MP
Minister for Foreign Affairs
Papua New Guinea

(Signed) Hon. Job Duddley Tausinga MP
Minister for Foreign Affairs
and Trade Relations
Solomon Islands

UNITED NATIONS

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11 March 1993

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Forty-eighth session
Item 92 (g) of the preliminary list*

DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION:
HUMAN SETTLEMENTS

Letter dated 11 March 1993 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I would like to bring to your attention the steps taken by the Government of Israel to improve the welfare and standard of living of the Palestinian population in the territories.

Recently, emphasis has been placed upon expanding employment opportunities and developing the local economy in the territories. This policy is being pursued through two means. First, through legislation to encourage private initiative and local industry in order to promote investment and provide jobs. Second, through improvement of the general climate in the territories in order to create an attractive environment for investment.

As a means of encouraging investment and employment, the following economic measures were recently introduced:

1. Income tax reform:

(a) The goal of this reform is to simplify the calculation system as well as to reduce the overall tax burden on the Palestinian population;

(b) Prior to the recent reform, which was initiated in 1991, income tax collection in the territories was based upon the system prevailing before Israeli administration began in June 1967. The former system included 11 tax brackets, with the marginal income tax rates ranging from 5.5 per cent to 55 per cent;

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(c) The main changes in the new tax reform are:

(i) Cancellation of the 55 per cent bracket and setting the highest marginal tax rate at 48 per cent;

(ii) Establishment of a minimum wage;

(iii) Reduction of the number of tax brackets from 11 to 5;

(iv) Adjustment of the tax brackets;

(d) The tax reform was implemented in stages:

(i) Stage one: on 1 September 1991 the existing tax brackets and personal deductions were adjusted by 14 per cent;

(ii) Stage two: on 1 January 1992 the overall reform as detailed above in section (c) was implemented.

2. Encouragement of capital investments:

(a) In order to encourage the establishment of new factories and to provide additional sources of employment in the territories, the law for the encouragement of capital investments was recently enacted. The major incentives under the law include income tax and property tax exemption for the first three years that a profit is registered, but no more than six years from the approval of the project;

(b) Under the new law, project approval is granted for new factories, or for expansion of existing factories, completed on or after 1 January 1991;

(c) So far, 23 projects that will employ 320 workers, with an overall investment of $7.5 million, have been approved in Gaza. Five projects have been approved in Judea and Samaria.

3. Encouragement of foreign investments: new procedures in this area enable foreign investors that invest a minimum of $100,000 to reside in the territories for an extended period and later to acquire residency. So far, 25 projects were approved in Gaza and 21 projects were approved in Judea and Samaria in accordance with the new procedures.

4. Labour rights for Palestinians working in Israel: every Israeli employer is required to record officially employees from the territories, in order to ensure that those workers receive appropriate wages and social benefits. Today, approximately 70 per cent of those employed in Israel are legally registered, compared to 30 per cent in the past.

5. Transfer of funds to the territories: all restrictions on the import of funds, by any means (via the Jordan bridges, Ben Gurion Airport, bank transfers, etc.) have been rescinded. Any resident can import any amount he wishes.

6. Banking: Israel is encouraging the establishment of new banks and financial establishments and the expansion of existing financial services in the territories. Recently, two new branches of the Cairo-Amman bank were opened in Bethlehem and Tulkarem and two more branches will soon be opened in Kalkilya and Jericho. A new branch of the "Palestine Bank" was approved in the city of Gaza. In addition, a group of investors in Judea and Samaria has recently received approval to establish a new commercial bank.

7. Encouraging exports: Israel is continuing to encourage the export of agricultural and industrial goods from the territories. To this end, the fees for trucks crossing the Jordan bridges have been reduced by over 75 per cent for agricultural goods, and by over 60 per cent for industrial goods. This is in addition to the 60 per cent reduction of the fee for trucks transporting agricultural goods which was introduced in 1990.

8. New factories: in addition to the law for the encouragement of capital investments and the new procedures for encouragement of foreign investments, the procedures for the approval of licences to establish new factories have been simplified and streamlined. In 1991, 95 new factories were approved in Judea and Samaria and 165 new factories were established in the Gaza district. In 1992, 70 new factories were approved in Judea and Samaria and 90 new factories were approved in the Gaza district.

9. Conversion of agricultural land to increase profitability: as part of the ongoing efforts to develop the agricultural sector, Israel is encouraging, through technical assistance and monetary grants, the conversion of agricultural land to support more profitable crops. One example of this policy is the recent project to convert unprofitable citrus groves to floral hothouses in the Gaza district.

10. Industrial parks: Israel has initiated the establishment of new industrial parks at the following sites:

(a) In the Gaza district: Beit Hanoun, Gaza City (Sheikh Ajlin), Dir el-Balah, expansion of the Erez industrial park;

(b) In Judea and Samaria: Nablus and Hebron, in addition to investments in existing industrial parks.

As a means of improving the overall atmosphere and creating a more attractive environment for local and foreign investors, the following steps were taken:

1. The conditions for crossing the Jordan bridges have been improved and the number of security checks upon entry have been reduced. In addition, the sale of exit passes has been transferred to local post offices, allowing travellers to go directly to the bridge without having to apply at the district Civil Administration office for an exit pass.

2. It is no longer necessary to provide certification that one does not owe payment to the tax offices in order to receive services.

3. The automobile surtax has been abolished.

4. All of the universities in the territories have been reopened.

5. The opening of new polytechnic colleges in Khan Yunis and Gaza has been approved.

6. The refugee resettlement plan in Najleh and Izbat Hanoun has been reinitiated.

7. Elections have been conducted for chambers of commerce in all municipalities, with the exception of Bethlehem.

8. The maximum age requirement for a permit to enter Israel has been lowered from 60 to 50 years old. As a result, those over 50 years of age now no longer need a permit to enter Israel.

9. Dozens of detainees have been released by order of the Prime Minister in order to improve the climate at the peace negotiations.

10. Security barricades in several streets have been removed, allowing greater freedom of movement for the population.

11. Houses sealed for security reasons over five years ago have been reopened on a case-by-case basis.

12. The distribution of Arabic newspapers in the territories has been expanded to include el-Ittihad, Sabah al-Hir, el-Khateb and Kol el-Arab.

Israel has also made several substantial legislative changes concerning arrest, detention and legal procedures in security-related cases in the territories:

1. The period within which a detainee must be brought before a judge was shortened from 18 to 8 days for minors and for adult residents of the territories suspected of disturbing the peace. Israeli authorities are now reviewing the legal situation with regard to adults accused of other offences.

2. At the initiative of the Minister of Justice, administrative detention orders may no longer be issued for a full year. The maximum period of detention has been halved to six months.

3. A defendant charged in military court can appeal the military court's decision concerning his arrest to the military appeals court. As a result of this change, the rights of the suspect regarding all matters relating to his detention have been expanded. This measure was introduced in order to ensure proper legal supervision of the appeals procedures concerning detention.

4. The authority of the court to issue arrest orders has been restricted to 30 days, following which time the arrest order may be extended only by the military appeals court.

The aforementioned steps were enacted despite the security problems faced by Israeli authorities in the territories.

I should be grateful if you would have the text of this letter circulated as an official document of the General Assembly under item 92 (g) of the preliminary list.

(Signed) Gad YAACOBI
Ambassador

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Item 115 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-eighth year

Letter dated 11 March 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the preliminary comments of the Government of the Federal Republic of Yugoslavia in connection with the report on the situation of human rights in the territory of the former Yugoslavia (A/48/92-S/25341) prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 115 (c) of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

* A/48/50.

ANNEX

Preliminary comments by the Government of the Federal Republic of Yugoslavia on the report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia

This Report of the Special Rapporteur, like the previous ones, contains a large number of untrue, unsubstantiated and ill-intentioned allegations and assessments concerning the human rights situation in the Federal Republic of Yugoslavia, particularly the Republic of Serbia. A considerable number of these allegations was already brought up by various international commissions and institutions. This primarily applies to the early elections in the FR of Yugoslavia of 20 December 1992, the situation in mass media (particularly in the Republic of Serbia), instances of alleged brutality against the members of national minorities (Albanians in particular) by the police force, etc.

The Yugoslav side responded many times to all these allegations with argumentation which reflects the actual situation in the field of human rights protection in the FR of Yugoslavia. Its latest reaction was prompted by the extremely unobjective Report of the US State Department on this matter.

Therefore, we would now confine ourselves to a general review of Mr. Mazowietzki's Report, commenting only (on the basis of the presently available information) on some specific allegations contained in it.

Extremely malicious and untrue is the allegation contained in the Report that the FR of Yugoslavia and the Republic of Serbia are linked with "the Serbian nationalists" responsible for the violation of human rights in Croatia and Bosnia-Herzegovina, and the conclusion that the Federal Government cannot be freed of the responsibility for ethnic cleansing in these areas.

The FR of Yugoslavia strongly condemns the practice of ethnic cleansing, regardless of the side committing it. Moreover, the FR of Yugoslavia is in no way involved in the war in Bosnia-Herzegovina (nor in the conflicts in UNPAs). There is no Yugoslav soldier in these territories, no military or logistic support is being sent there and the borders of the FR of Yugoslavia are being controlled in order to prevent illicit traffick in arms. Moreover, both the FR of Yugoslavia and the Republic of Serbia have suggested on several occasions that international observers be placed on their borders with Bosnia-Herzegovina so that the international community could convince itself of that.

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The Constitutions of the FR of Yugoslavia and the Republic of Serbia guarantee, in compliance with international documents, the highest standards in the field of the protection of civil and human rights, including the rights of national minorities. All citizens of the FR of Yugoslavia, regardless of their national, religious or any other belonging, are ensured full equality in the exercise of their rights.

Members of national minorities, like all other citizens of the Republic of Serbia, also enjoy equal protection of life and personal and property security.

In the Republic of Serbia, there have not been cases of violation of human rights of the members of national minorities, nor has there been "ethnic cleansing" as frequently alleged in foreign media. In Kosovo and Metohija, there is organized pressure of the Albanian separatist movement against citizens of Albanian nationality to refrain from exercising their rights (boycott of elections, refusal to participate in the work of legal organs of the Autonomous Province of Kosovo and Metohija, boycott of schools, health protection, etc.) and to refuse to recognize the laws and decisions of State organs of the Republic of Serbia, i.e. to deny their belonging to the Republic of Serbia and the FR of Yugoslavia.

At the directive of the Albanian separatist movement, in 1990 and 1991, a vast majority of workers of Albanian nationality left the police of the Autonomous Province of Kosovo and Metohija. They lost their jobs because they had left them of their own will and not because of their nationality. The Ministry of Internal Affairs and other State institutions have not discriminated against any one because of his/her nationality when applying for a job. Unlike in Kosovo and Metohija, where many members of the Albanian minority walked off their jobs (including the managing ones), in the Autonomous Province of Vojvodina the managing posts in the police, for example, are held by about 30 per cent of persons of non-Serb nationality. In the municipalities with mixed national composition of the population this percentage is much higher. The percentage of participation of the total number of employees in the police is proportionate to the national composition of the population. For example, in the Secretariat for Internal Affairs of Novi Pazar, out of the total number of employees, 57.5 per cent are Moslems, 41.9 per cent are Serbs and 0.3 per cent are others.

In order to suppress inter-ethnic conflicts in the areas with mixed population, security measures have been intensified to protect personal and property security of all citizens as well as to prevent criminal acts and offences, particularly those of inter-ethnic nature.

The undertaken measures have resulted in an improved security situation in these areas, increased personal and property security of all citizens, and significant results have been achieved in the suppression of black-marketing and illicit trafficking in narcotic drugs, weapons and ammunition. Public peace and order have been maintained and their larger scale disruption has been thwarted.

Most of serious criminal acts committed against persons of Moslem, Albanian, Croatian and other nationalities have been solved, and their perpetrators have been brought to justice.

Therefore, the assessment contained in the Report that the human rights situation in Kosovo and Metohija continues to deteriorate is untrue. The allegation that Kosmet lost it status of autonomous province in 1990 is particularly malicious. As it is known, Kosovo and Metohija still has the status of an autonomous province with all the powers, including territorial and cultural autonomy.

The allegation that nine medical centres in Kosovo and Metohija have been closed is also untrue. No centre has either been or will be closed, but all these centres are being reorganized in order to become more effective.

The Report completely twisted the picture of the situation in the field of education in Kosovo and Metohija. Albanian students are guaranteed the right to education in their mother tongue. The problem is caused by a great number of teachers of Albanian nationality who refuse to teach on the basis of curriculum set by the Republic. The Report does not contain any critical reference towards this fact, although the Special Rapporteur should know that no national minority in the CSCE participating States is entitled to education on the basis of its own, but exclusively of the curriculum of the country it lives in. Therefore, the boycott of teachers of the Albanian nationality is not only irresponsible but also reflects the secessionist aspirations of the Albanian national minority, which is unacceptable under international law.

The Report is also uncritical of the fact (which is also referred to) that only 5-10 per cent of ethnic Albanians have voted at the recent elections in Serbia. It is precisely through their mass participation in the elections that ethnic Albanians could legally exercise their minority rights, and international factors, including Mr. Mazowietzki as Special Rapporteur, should encourage them along those lines.

The same assessment applies to the Moslems in the Raška area (so-called Sandžak) where their most influential party (Democratic Action Party) also boycotted the elections. The conclusion of the Special Rapporteur concerning further deterioration of the human rights situation in this area is more tendentious than that in Kosovo and Metohija. For example, the majority of managing posts in enterprises, health, educational and other institutions in Novi Pazar (as the biggest town in the area) are held by Moslems. Moreover, there are no instances of violation of their human rights, neither formally nor in practice, since they, unlike Albanians in Kosmet, have not boycotted the privileges accorded to them.

As regards Vojvodina, the concern of Special Rapporteur at the inflow of refugees from Croatia and Bosnia-Herzegovina into this area is unfounded. The Republic of Serbia receives all refugees irrespective of their nationality and accommodates them throughout its territory. In this respect, Vojvodina is in no danger of changing its demographic structure, while Hungarians, Croats and others living there are not losing their property, jobs or influence within the community. Some instances of discriminatory behaviour against members of ethnic minorities have been solved and their perpetrators sanctioned.

The statement in the Report that the Serbian language is compulsory for all pupils, while Hungarian is not compulsory for Serbian pupils, is absurd. There is no State whose citizens (including students and pupils) are obliged to learn the language of a national minority.

It can be concluded in general that the report of Mr. Mazowietzki is the continuation of the tendentious appraisal of the human rights situation in the FR of Yugoslavia and in the Republics of Serbia and Montenegro. Its main characteristic is that it uses uncorroborated facts regarding the situation in the area obtained predominantly from representatives of national minorities who have separatist aspirations the majority of which are untrue.